



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/823,506

03/28/2001

Dennis Sunga Fernandez

FERN-P001D

8534

33717

7590

06/26/2008

GREENBERG TRAURIG LLP (L.A.)

2450 COLORADO AVENUE, SUITE 400E

INTELLECTUAL PROPERTY DEPARTMENT

SANTA MONICA, CA 90404

EXAMINER

VO, TUNG T

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

06/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/823,506

Applicant(s)

FERNANDEZ ET AL.

Examiner

Tung Vo

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20 and 38-63 is/are pending in the application.
- 4a) Of the above claim(s) 1-19 and 21-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20 and 38-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/21/2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20, 38-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanchett (US 5,396,429) in view of Mertens et al. (US 5,767,505).

Re claims 20, 38, 42, 45, 47, 50, 53, 56, 61, Hanchett teaches a surveillance system (fig. 1) comprising: a processor (112 of fig. 4), coupled to a network (86 and 104 of fig. 4, a wireless network or satellite location), configured to receive from a database a representation of an identity and a location of at least one object (18 of fig. 4, mobile unit is considered one object, where the broadcast identification signal is used to determine the geographic or relative position of the user unit to the images being displayed and the look-ahead alert signal is provided at the appropriate time (fig. 5));

a mobile communications unit (86 and 104 of fig. 4), physically associated with the at least one object (18 of fig. 1), operable to receive data from a monitor station (14 of fig. 1; see details of figure 4) monitoring data associated with the movement of the at least one object (fig. 5),

wherein the mobile communications unit (82 and 86 of fig. 4) couples wirelessly to the network for communication with the processor (112 of fig. 4) and a first detector (14 of fig. 1, image sensor and speed sensor), coupled to the network (12 of fig. 1), activated to observe the at least one object (fig. 5) when the processor (112 of fig. 4) determines the at least one object (18 of fig. 1), to be located within an observation range of the first detector (38 of fig. 2), wherein the first detector is configured to automatically hand-off the observation of the at least one object (the first detector, 38 of fig. 2, is located at remote location) to a second detector (40 of fig. 1, located approximate one mile apart from the first detector) in an observation range of the at least one object (18 of fig. 1).

It is noted that Hanchett does not particularly teach a GPS device for locating a movement object; and wherein the at least one object is authenticated according to a voice pattern or a magnetic or smart-card signal as claimed.

However, Mertens teaches a GPS device for locating a movement object (col. 1, lines 39-42), wherein the at least one object is authenticated according to a voice pattern or a magnetic or smart-card signal (28 of fig. 2).

Therefore, taking the teachings of Hanchett and Mertens as a whole, it would have been obvious to one of ordinary skill in the art to modify the GPS system of Mertens into the surveillance of Hanchett to accurately determine the movement at least one movement object.

Re claim 39, Hanchett further teaches wherein the second detector is a neighbor of the first detector (14 of fig. 1).

Re claim 40, Hanchett further teaches wherein the second detector is activated responsive to the processor determining that the at least one object will be traveling from an observation range of the first detector to an observation range of the second detector (14 of fig. 1, and fig. 5).

Re claim 41, Hanchett wherein the mobile communications unit (82 and 86 of fig. 4) generates a position signal (96 of fig. 4, note A user display unit displays images corresponding to the image signals in the segments along with the identification code so that a user can correlate the images displayed with the geographical position at which they were created), when the at least one object moves within the observation range of the first detector (14 of fig. 1, the mobile unit is in observation range of the monitor station (14 of fig. 1)).

Re claim 43, Hanchett further teaches wherein the processor is further configured to receive from the database object information selected from a group consisting of an object name, an object identifier, an object group, an object query, an object condition, an object status, an object location, an object time, an object error, and an object image, video, or audio broadcast signal (112 of fig. 4, note the receivers of the mobile user units (18 of fig. 1) can receive this separately broadcast identification signal, compare it to the identification signal associated with the images presently being received).

Re claim 44, Hanchett further teaches wherein the at least one object is monitored using an extrapolated or last-stored positional or visual signal (116 and 118 of fig. 4).

Re claim 46, Hanchett further teaches wherein an electronic file comprising a recorded or live voice or music transmission is provided to the at least one object via the network (102 of fig. 4, a sound signal to an audio amplifier 102 of fig. 4).

Re claim 50, Hanchett further teaches some such CRT monitors operate on 12 volts dc, are currently available, and are used in recreational vehicles and trucks, this would suggest that the mobile unit would obviously be a truck or vehicle that has an accelerometer.

Re claims 55 and 63, Hanchett further teaches wherein the processor confirms the identity of the object by processing a visual image of the object using adaptive or neural learning software to recognize such object automatically (112 of fig. 4, note The character generator 120 is used by the central processing unit 112 to provide visual data to the user by means of the user display, such as an overlay of the monitor station identification presently being viewed).

Re claims 48-49, 51-54, see analysis in claims 39-41, 43-44, and 46;

Re claims 57-60, 61, see analysis in claims 39-41, 43-44, and 46.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Spiess (US 5,652,705) discloses highway traffic accident avoidance system.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tung Vo/

Primary Examiner, Art Unit 2621